

Senate Amendment 3223

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1 1 Amend House File 807, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, line 20, by striking the figure
1 4 <118,084,282> and inserting the following:
1 5 <118,404,282>.
1 6 #2. By striking page 1, line 21, through page 2,
1 7 line 2.
1 8 #3. Page 4, by inserting after line 4 the
1 9 following:
1 10 <Sec. _____. Section 602.6401, subsection 1, Code
1 11 2005, is amended to read as follows:
1 12 1. ~~One Two~~ hundred ~~ninety-one six~~ magistrates
1 13 shall be apportioned among the counties as provided in
1 14 this section. Magistrates appointed pursuant to
1 15 section 602.6402 shall not be counted for purposes of
1 16 this section.
1 17 Sec. _____. NEW SECTION. 602.8102A NOTICES
1 18 RETURNED FOR UNKNOWN ADDRESS == RESENDING.
1 19 Notwithstanding any other provision of the Code to
1 20 the contrary, and subject to rules prescribed by the
1 21 supreme court, if the clerk of the district court
1 22 sends a mailing or notice to a person or party and the
1 23 mailing or notice is returned by the postal service to
1 24 the clerk of the district court as undeliverable, the
1 25 clerk is not required to send a repeat or subsequent
1 26 mailing or notice unless the clerk receives an updated
1 27 mailing address.
1 28 Sec. _____. Section 602.8105, subsection 2, Code
1 29 2005, is amended to read as follows:
1 30 2. The clerk of the district court shall collect
1 31 the following fees for miscellaneous services:
1 32 a. For filing, entering, and endorsing a
1 33 mechanic's lien, twenty dollars, and if a suit is
1 34 brought, the fee is taxable as other costs in the
1 35 action.
1 36 b. For filing and entering an agricultural supply
1 37 dealer's lien and any other statutory lien, twenty
1 38 dollars.
1 39 c. For a certificate and seal, ten dollars.
1 40 However, there shall be no charge for a certificate
1 41 and seal to an application to procure a pension,
1 42 bounty, or back pay for a member of the armed services
1 43 or other person.
1 44 d. For certifying a change in title of real
1 45 estate, twenty dollars.
1 46 e. For filing a praecipe to issue execution under
1 47 chapter 626, twenty-five dollars.
1 48 f. For filing a praecipe to issue execution under
1 49 chapter 654, fifty dollars.
1 50 g. For filing a confession of judgment under
2 1 chapter 676, fifty dollars if the judgment is five
2 2 thousand dollars or less, and one hundred dollars if
2 3 the judgment exceeds five thousand dollars.
2 4 ~~e- h.~~ Other fees provided by law.
2 5 Sec. _____. Section 901.4, Code 2005, is amended to
2 6 read as follows:
2 7 901.4 PRESENTENCE INVESTIGATION REPORT
2 8 CONFIDENTIAL == DISTRIBUTION.
2 9 The presentence investigation report is
2 10 confidential and the court shall provide safeguards to
2 11 ensure its confidentiality, including but not limited
2 12 to sealing the report, which may be opened only by
2 13 further court order. At least three days prior to the
2 14 date set for sentencing, the court shall ~~serve send a~~
2 15 copy of all of the presentence investigation report
2 16 upon by ordinary or electronic mail, to the
2 17 defendant's attorney and the attorney for the state,
2 18 and the report shall remain confidential except upon
2 19 court order. However, the court may conceal the
2 20 identity of the person who provided confidential
2 21 information. The report of a medical examination or
2 22 psychological or psychiatric evaluation shall be made
2 23 available to the attorney for the state and to the
2 24 defendant upon request. The reports are part of the

2 25 record but shall be sealed and opened only on order of
2 26 the court. If the defendant is committed to the
2 27 custody of the Iowa department of corrections and is
2 28 not a class "A" felon, a copy of the presentence
2 29 investigation report shall be forwarded by ordinary or
2 30 electronic mail to the director with the order of
2 31 commitment by the clerk of the district court and to
2 32 the board of parole at the time of commitment.
2 33 Pursuant to section 904.602, the presentence
2 34 investigation report may also be released by ordinary
2 35 or electronic mail by the department of corrections or
2 36 a judicial district department of correctional
2 37 services to another jurisdiction for the purpose of
2 38 providing interstate probation and parole compact or
2 39 interstate compact for adult offender supervision
2 40 services or evaluations, or to a substance abuse or
2 41 mental health services provider when referring a
2 42 defendant for services. The defendant or the
2 43 defendant's attorney may file with the presentence
2 44 investigation report, a denial or refutation of the
2 45 allegations, or both, contained in the report. The
2 46 denial or refutation shall be included in the report.
2 47 If the person is sentenced for an offense which
2 48 requires registration under chapter 692A, the court
2 49 shall release the report by ordinary or electronic
2 50 mail to the department.

3 1 Sec. ____ STUDY OF COURT RULES RELATING TO TRIBAL
3 2 COURTS. The general assembly acknowledges that
3 3 contact and interaction between the Iowa court system
3 4 and federally recognized tribal courts are ever
3 5 increasing and the general assembly urges the Iowa
3 6 supreme court to study this interaction and consider
3 7 developing and prescribing rules that relate to the
3 8 tribal court system, tribal court orders, judgments,
3 9 and decrees.>

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3 13 ROBERT E. DVORSKY

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3 18 JEFF ANGELO
3 19 HF 807.2
jm/cc/26